U.S. DISTRICT COURT - N.D. OF N.Y.

FILED

OCT 15 2010

HAROLD D. GRIFFIN,

Plaintiff,

-against-

PARtial. STIPULATION OF DISCONTINUANCE 6:09-CV-0717(NAM/GHL)

VILLAGE OF FRANKFORT, NEW YORK STEVEN CONLEY, SAMUEL AMEDURI FRANK MORACCO, RONALD VIVACQUA AND JEFFREY VIOLA,

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued against the defendant, Samuel Ameduri, with prejudice, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: September 20, 2010

MARK A. WOLBER, ESQ.

MARK A. WOLBER, ESQ.

Attorney for Plaintiff 239 Genesee Street Utica, NY 13501 Dated: September 7, 2010

BURKE, SCOLAMIERO, MORTATI &

HURD, LLP

ADAM C. HOVER, ESQ

Attorneys for Defendants

9 Washington Square, Suite 201

P.O. Box 15085

Albany, New York 12212-5085

IT IS SO ORDERED.

Norman A. Mordue

Chief Judge

Dated: 10-15-10

Musler

{A0147981 1 }